

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

EVARIST C. AMAH,

Defendant.

No. 21-CV-6694 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

The United States Security and Exchange Commission (“Plaintiff”) brings this Action against Evarist C. Amah (“Defendant”) for violations of the Securities Act, the Exchange Act, and the Advisers Act. (*See generally* Compl. (Dkt. No. 1).) Plaintiff has moved under Fed. R. Civ. P. 56, filing a Motion for Summary Judgment (the “Motion”) on November 7, 2022. (*See* Pl.’s Mem. of Law in Supp. of Mot. for Summary Judgment (Dkt. No. 43).) Defendant submitted his Opposition on January 3, 2023. (*See* Mem. of Law for Reply to Mot. for Summary Judgment (Dkt. No. 49).) Plaintiff replied on January 20, 2023. (*See* Reply to Mot. (“Def.’s Reply Mem.”) (Dkt. No. 50).)

The record does not contain any indication that Plaintiff has complied with Local Rule 56.2. (*See generally* Dkt.) The relevant part of that Rule, entitled “Notice to Pro Se Litigants Opposing Summary Judgment,” which is applicable in United States District Courts for the Southern Districts of New York, requires:

Any represented party moving for summary judgment against a party proceeding *pro se* shall serve and file as a separate document, together with the papers in

support of the motion, [a] “Notice To Pro Se Litigant Opposing Motion For Summary Judgment” with the full texts of Fed. R. Civ. P. 56 and Local Civil Rule 56.1 attached.

Local Civil R. 56.2.

Accordingly, Plaintiff is directed to comply with Rule 56.2 and resubmit its Summary Judgment Motion papers with the “Notice to Pro Se Litigants Opposing Summary Judgment” by June 12, 2023. While Defendant has already responded to Plaintiff’s Motion for Summary Judgment, Defendant shall have until July 12, 2023 to submit a supplemental response to Plaintiff’s resubmitted Motion for Summary Judgment, should he so choose.

SO ORDERED.

Dated:

White Plains, New York
June 5, 2023

A handwritten signature in black ink, appearing to read 'KMK', with a horizontal line extending from the bottom of the signature.

KENNETH M. KARAS
United States District Judge